

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Richard R. Wescott

v.

Civil No. 09-cv-334-JD

NH State Prison, Warden

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated November 4, 2009. Plaintiff's Motion for Rule 56 Summary Judgment, Document #3, is herewith denied as moot.

SO ORDERED.

November 23, 2009

/s/ Joseph A. DiClerico, Jr.
Joseph A. DiClerico, Jr.
United States District Judge

cc: Richard R. Wescott, pro se